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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,084	02/14/2001	Tadashi Ohashi	1341.1080 (JDH)	9826
21171	7590	12/30/2003	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LEE, SEUNG H	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,084

Applicant(s)

OHASHI, TADASHI

Examiner

Seung H Lee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 24 September 2003 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Muranaga et al. (US 5,671,428)(hereinafter referred to as 'Muranaga').

Muranaga teaches a document processing system comprising control unit (22) serving as a communication unit and a storing control unit wherein the control unit is connected to a network (32) and performing communicating with other devices such as personal terminal devices (24 and 25), a memory unit (210-213), an execution condition verification unit (202) serving as a determination unit determine the relevant execution using the obtained data from data relationship memory unit (201) and input data from

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the input devices (24 and 25), the control unit storing the data/information such as message from the reviews in memory unit (21), a vote request notification unit (206), vote memory unit (207) storing the each voting participant decision serving as a second memory unit, a group decision making memory unit (214) and a group decision making unit (209) determining the voting decision by majority serving as a first memory unit and generating a group decision using voting procedure and storing the decision of the voting result (Fig. 30), a notification unit (205) notifying a specific processing to particular person according to his/her e-mail address, a personal terminal device (1) including a display unit (11), a graphic data or statistical data can be used in the document processing system, the vote request notification unit (206) issues the notification for requiring vote to the users wherein the notification is serving as the review request form, and a proposition form serving as the reviewed form having a data of phrases such as a unit ID, a proposition for the deletion of the document, etc. and relevant information such as voting result of the voting participants wherein the unit ID serving as phrases number to specify proposition and result of the proposition (see Figs. 1-3, 5-12, 23-33; col. 7, lines 3-16; col. 10, line 56- col. 11, line 15; col. 17, line 26- col. 26, line 24).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muranaga in view of Light (US 5,973,693)

The teachings of Muranaga have been discussed above.

Although, Muranaga teaches the document processing system with comment management, he fails to particularly teach that displaying of a graphic of the statistical data.

However, Light teaches collecting measurement data (703), generating graph representing collected data, and displaying the graph on display (see Fig. 7; col. 7, line 54- col. 8, line 26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Light to the teachings of Muranaga in order to provide an user-friendly system means for generating the graphic presentation of the voting result with collected data from each and every user wherein user(s) can acknowledge/verify the voting result instantly with the generated graphic presentation of the voting result, and therefore an obvious expedient.

Response to Arguments

6. Applicant's arguments filed 12 August 2003 have been fully considered but they are not persuasive.

In response to the applicant's argument that "*....does not provide an express rationale for rejection claims....*", the Examiner respectfully disagrees with the applicant

wherein Muranaga teaches the document processing system having a storing means as discussed in paragraph 3 above.

In response to the applicant's argument that *"Muranaga's voting analysis differs from the recitation, 'a single critique analysis based on the collected critiques' 'critique instructions, including corrections and/or suggested changes....'"* (see page 4, line 1+), the Examiner respectfully disagrees with the applicant wherein the voting result can be served as the collected critique and the content of voting result (e.g., deleting document) can be served as critique instruction. Therefore, Accordingly, given its broadest reasonable interpretation, the teachings of Muranaga meets the claimed limitations.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Light simply provide an evidence of generating graph representing collected data. Therefore, when interpreting the claimed limitations as broadly as is reasonably possible, the combination of the teachings of Light (as described above) and the teachings of Muranaga meets the claimed limitation.

Conclusion


Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Seung H. Lee** whose telephone number is (703) 308-5894. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

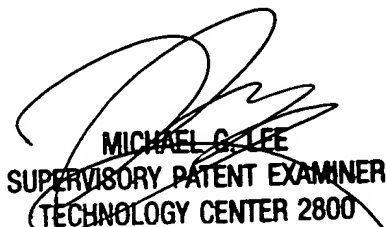
If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax-phone number for this group is (703) 308-5841 or (703) 308-7722.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.lee@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.


Seung H. Lee
Art Unit 2876
December 11, 2003


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
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